

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

BARBARA J. AUSTIN,

Plaintiff,

vs.

JO ANNE B. BARNHART, Commissioner
of Social Security,

Defendant.

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CIVIL ACTION NO. 96-0626-P-M

ORDER ADOPTING THE REPORT AND
RECOMMENDATION OF THE MAGISTRATE JUDGE

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made pursuant to 28 U.S.C. § 636(b)(1)(B) and dated August 24, 2005 (doc.34), is hereby ADOPTED as the opinion of this court.

Accordingly, it is ORDERED that plaintiff's Petition For Authorization of Attorney Fees under 42 U.S.C. § 406(b), be and is hereby GRANTED, and that plaintiff's counsel, Rose A. McPhillips, be awarded an attorney's fee in the amount of \$4,792.00 pursuant to 42 U.S.C. § 406(b), for services on plaintiff's behalf in this court. Gisbrecht v. Barnhart, 535 U.S. 789 (2002).

DONE this 21st day of October, 2005.

S/Virgil Pittman
SENIOR UNITED STATES DISTRICT JUDGE